

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JAMES O. MURRAY, III,

Plaintiff,

v.

9:10-CV-1440 (NAM/CFH)

T. ARQUITT, et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

James O. Murray, III
95-A-4417
Upstate Correctional Facility
P.O. Box 2001
Malone, New York 12953
Plaintiff, *pro se*

Hon. Eric T. Schneiderman
Attorney General of the State of New York
The Capitol
Albany, New York 12224
Attorney for Defendants

COLLEEN D. GALLIGAN, ESQ.
Assistant Attorney General

NORMAN A. MORDUE, SENIOR U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge Christian F. Hummel, duly filed on the 22nd day of April 2014. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

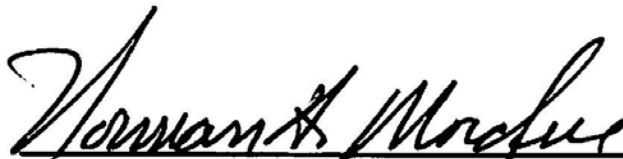
ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The defendants' motion for partial summary judgment (Dkt. No. 103) is granted.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the

Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: May 15, 2014
Syracuse, New York


Norman A. Mordue
Senior U.S. District Judge